

Exhibit C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAROL MELTON,

Plaintiff,

-against-

POUGHKEEPSIE CITY SCHOOL DISTRICT,

Defendant.

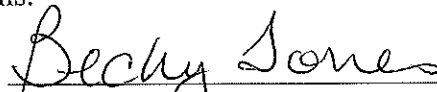
AFFIDAVIT IN SUPPORT
OF MOTION FOR SUMMARY
JUDGMENT

Civil Action No. 16-CV-09701
(VJB)(LMS)

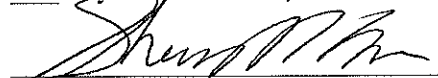
STATE OF NEW YORK)
COUNTY OF DUTCHESS) s.s.:

BECKY TORRES, being duly sworn and under oath, hereby deposes and says:

1. From April of 2014 until July of 2018, I served as the secretary to the Superintendent of Schools for the Poughkeepsie City School District (hereinafter "District"). As such, I am fully familiar with the facts set forth herein.
2. I am a Hispanic woman.
3. Mail addressed to the District comes in to the Superintendent's Office. On May 2, 2016, at my office in the District's administration building, I received a Notice of Charge of Discrimination ("Notice") referring to Carol Melton and accompanying materials, a copy of which is submitted herewith as Exhibit A. I placed the May 2, 2016 date stamp on the Notice at that time, before providing it to the then Superintendent of Schools, Dr. Nicole Williams.


Becky Torres

Sworn to before me this
3rd day of December, 2018


Notary Public

SHERRY MCGRATH
Notary Public State of New York
Qualified in Dutchess County
No. 01MC6055717
Commission Expires March 5, 2019

EEOC FORM 131 (11/09)

U.S. Equal Employment Opportunity Commission

<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> POUGHKEEPSIE CITY SCHOOL DISTRICT Attn: Director of Legal Affairs 11 College Avenue Poughkeepsie, NY 12603 </div>	PERSON FILING CHARGE <div style="text-align: center; margin-bottom: 10px;">Carol Melton</div> THIS PERSON (check one or both) <input checked="" type="checkbox"/> Claims To Be Aggrieved <input type="checkbox"/> Is Filing on Behalf of Other(s) EEOC CHARGE NO. <div style="text-align: center;">846-2016-08238</div>	
NOTICE OF CHARGE OF DISCRIMINATION <i>(See the enclosed for additional information)</i>		
<p>This is notice that a charge of employment discrimination has been filed against your organization under:</p> <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Title VII of the Civil Rights Act (Title VII) <input type="checkbox"/> The Equal Pay Act (EPA) <input type="checkbox"/> The Americans with Disabilities Act (ADA) </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <input type="checkbox"/> The Age Discrimination in Employment Act (ADEA) <input type="checkbox"/> The Genetic Information Nondiscrimination Act (GINA) </div> <p>The boxes checked below apply to our handling of this charge:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> No action is required by you at this time. 2. <input type="checkbox"/> Please call the EEOC Representative listed below concerning the further handling of this charge. 3. <input type="checkbox"/> Please provide by a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation. 4. <input type="checkbox"/> Please respond fully by to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation. 5. <input type="checkbox"/> EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by to If you <u>DO NOT</u> wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there. <p>For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p style="text-align: center;">Sarina L. Shaver, Investigator</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p style="text-align: center;"><i>EEOC Representative</i></p> <p>Telephone (212) 336-3776</p> </div> <div style="width: 45%;"> <p>New York District Office 33 Whitehall Street 5th Floor New York, NY 10004 Fax: (212) 336-3625</p> </div> </div> <p>Enclosure(s): <input type="checkbox"/> Copy of Charge</p>		
CIRCUMSTANCES OF ALLEGED DISCRIMINATION <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Sex <input type="checkbox"/> Religion <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Retaliation <input type="checkbox"/> Genetic Information <input type="checkbox"/> Other </div> <p>ISSUES: Exclusion, Harassment, Classification</p> <p>DATE(S) (on or about): EARLIEST: 09-10-2015 LATEST: 09-10-2015</p>		
Date April 28, 2016	Name / Title of Authorized Official Kevin J. Berry, District Director	Signature

MAY 02 2016

000382

Enclosure with EEOC
Form 131 (11/09)

INFORMATION ON CHARGES OF DISCRIMINATION

EEOC RULES AND REGULATIONS

Section 1601.15 of EEOC's regulations provides that persons or organizations charged with employment discrimination may submit a statement of position or evidence regarding the issues covered by this charge.

EEOC's recordkeeping and reporting requirements are found at Title 29, Code of Federal Regulations (29 CFR): 29 CFR Part 1602 (see particularly Sec. 1602.14 below) for Title VII and the ADA; 29 CFR Part 1620 for the EPA; and 29 CFR Part 1627, for the ADEA. These regulations generally require respondents to preserve payroll and personnel records relevant to a charge of discrimination until disposition of the charge or litigation relating to the charge. (For ADEA charges, this notice is the written requirement described in Part 1627, Sec. 1627.3(b)(3), .4(a)(2) or .5(c), for respondents to preserve records relevant to the charge – the records to be retained, and for how long, are as described in Sec. 1602.14, as set out below). Parts 1602, 1620 and 1627 also prescribe record retention periods – generally, three years for basic payroll records and one year for personnel records. Questions about retention periods and the types of records to be retained should be resolved by referring to the regulations.

Section 1602.14 Preservation of records made or kept. Where a charge ... has been filed, or an action brought by the Commission or the Attorney General, against an employer under Title VII or the ADA, the respondent ... shall preserve all personnel records relevant to the charge or the action until final disposition of the charge or action. The term *personnel records relevant to the charge*, for example, would include personnel or employment records relating to the aggrieved person and to all other aggrieved employees holding positions similar to that held or sought by the aggrieved person and application forms or test papers completed by an unsuccessful applicant and by all other candidates or the same position as that for which the aggrieved person applied and was rejected. The date of *final disposition of the charge or the action* means the date of expiration of the statutory period within which the aggrieved person may bring [a lawsuit] or, where an action is brought against an employer either by the aggrieved person, the Commission, or the Attorney General, the date on which such litigation is terminated.

NOTICE OF NON-RETALIATION REQUIREMENTS

Section 704(a) of Title VII, Section 207(f) of GINA, Section 4(d) of the ADEA, and Section 503(a) of the ADA provide that it is an unlawful employment practice for an employer to discriminate against present or former employees or job applicants, for an employment agency to discriminate against any individual, or for a union to discriminate against its members or applicants for membership, because they have opposed any practice made an unlawful employment practice by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the statutes. The Equal Pay Act contains similar provisions. Additionally, Section 503(b) of the ADA prohibits coercion, intimidation, threats, or interference with anyone because they have exercised or enjoyed, or aided or encouraged others in their exercise or enjoyment, of rights under the Act.

Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made. Please note that the Civil Rights Act of 1991 provides substantial additional monetary provisions to remedy instances of retaliation or other discrimination, including, for example, to remedy the emotional harm caused by on-the-job harassment.

NOTICE REGARDING REPRESENTATION BY ATTORNEYS

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please give us your attorney's name, address and phone number, and ask your attorney to write us confirming such representation.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office

33 Whitehall Street, 5th Floor
New York, NY 10004-2112
District Office: (212) 336-3620

Dear Respondent:

You have just been served notice via the enclosed 131 Notice of Charge from the EEOC that a charge of discrimination has been filed against your organization. No action is required by you at this time.

The reason you, the named Respondent, do not have to answer the charge at time is that the EEOC is in the process of securing a formal charge from the Charging Party. The purpose of the 131 Notice is to let you know that you should preserve all records related to the application or employment of the Charging Party for future EEOC investigation. The EEOC has assigned the charge number shown on the 131 Notice which we request that you use in all contacts with the EEOC regarding this matter.

If the Charging Party does complete a formal charge with the EEOC, you will be provided a copy of that charge, together with instructions on your next step, such as an invitation to mediate the charge or to provide specific documents to support your position in response to the charge allegations. You will also be notified if the EEOC terminates processing of the charge.

If you have not heard from our office 45 days after receiving this notice, you may call our District Office at (212) 336-3665 to obtain the status of the charge, and someone will assist you. Please do not contact our office prior to 45 days after receiving the notice.

If you would like to provide us with the contact information for the proper person with whom to communicate regarding this charge, or any other relevant information, please FAX the information to the attention of the "INTAKE UNIT" (referencing the EEOC Charge Number) to (212) 336-3790, and the information will be directed to the proper person.

Thank you for your cooperation in this matter.

Intake Unit
NYDO